

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

April 2, 2002

**D039550      Dean S. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Dean S. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

**D038974      People v. Brown**

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules Court, rule 38).

**D036899      People v. Davenport**

The petition for rehearing is denied.

**D038782      In re Daniel P., a Juvenile**

The orders are reversed. Haller, J.; We Concur: Kremer, P.J., O'Rourke, J.

**D039099      Sure Safe Industries, Inc., et al. v. Earth-Lok Technologies, Inc.**

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

**D036374      People v. Montgomery et al.**

The petition for rehearing is denied.

**D039775      People v. Lynch**

The appeal in this matter challenges solely the validity of a plea or admission. Appellant's request for certificate of probable cause having been denied and no appealable issues having been raised in compliance with California Rules of Court, rule 31(d), the appeal is dismissed.

**D035751      People v. Boyer**

The petition for rehearing is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

April 3, 2002

**D038309        People v. Tolliver**

The judgment is reversed. Huffman, Acting P.J.; We Concur: McDonald, J., McIntyre, J.

**D037054        People v. Fiscalini**

The judgment is affirmed. McConnell, J.; We Concur: McDonald, Acting P.J., McIntyre, J.

**D038619        Turner v. Stephens & Kray et al.**

The petition for rehearing is denied.

**D037051        Scott v. Steris Laboratories, Inc. et al.**

Judgment affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

**D036258        Grovue v. Calvi & Cahoon et al.**

The judgment is affirmed. McConnell, J.; We Concur: McDonald, Acting P.J., McIntyre, J.

**D038452        People v. Hendrix**

The appeal is dismissed. Huffman, Acting P.J.; We Concur: McDonald, J., McConnell, J.

**D039662        Eric J. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Eric J. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case as to Eric J. is dismissed.

**D036113        People v. Roman**

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., McConnell, J.

**D039618        Teresa M. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Teresa M. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

**D039616        Teresa R. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**

The attorney for petitioner Teresa R. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

**D036194        Qualcomm Incorporated v. Industrial Indemnity Insurance Co.**

The petition for rehearing is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

April 3, 2002 (Continued)

**D038609        Anish v. Backbay Gardens Homeowners Association et al.**

The judgment is affirmed. The Anishes are entitled to recover their costs on appeal. McIntyre, J.;  
We Concur: Huffman, Acting P.J., McDonald, J.

**D037684        Barakat v. Jaoudi et al**

The order is affirmed. Jaoudi is to recover his costs of appeal. McIntyre, J.;  
We Concur: Huffman, Acting P.J., McDonald, J.

**D039698        In re White on Habeas Corpus**

The petition is denied.

**D036910        Donovan v. L. A. Ski & Sun Tours et al.**

The petition for rehearing is denied.

**D036286        People v. Thomas**

The judgment is affirmed. Nares, J.; We Concur: Benke, Acting P.J., O'Rourke, J.

**D035696        Warren et al. v. Sharabi**

The request for publication is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

April 4, 2002

**D039593        In re Arroyo on Habeas Corpus**

The petition is denied.

**D039765        Residential Capital, LLC v. Superior Court of San Diego County/Do**

The petition is denied. Petitioner has an adequate remedy by way of appeal.

**D039611        In re Pisa on Habeas Corpus**

The petition is denied.

**D039421        In re Bustamante on Habeas Corpus**

The petition is denied.

**D039609        In re Walker on Habeas Corpus**

The petition is denied as incomplete.

**D039629        McLachlan v. Superior Court of San Diego County/Centre City  
Development Corp. et al.**

The petition is dismissed as moot.

**D039239        Johnson v. WCAB/J.M. Hunt and Stuart Baron & Associates**

The petition is denied.

**D039727        People v. Torres**

The appeal is dismissed.

**D035889        People v. Wrobleski**

The petition for rehearing is denied.

**D038617        Trapana v. The Prudential Insurance Company of America**

The portions of the judgment on appellant's causes of action for intentional infliction of emotional distress and breach of the implied covenant of good faith and fair dealing are reversed. The remainder of the judgment is affirmed. Appellant shall have costs on appeal. Kremer, P.J.; We Concur: Haller, J., McDonald, J.

COURT OF APPEAL OF STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE

April 5, 2002

**D039724      Guy O. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency.**

The attorney for petitioner Guy O. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case as to Guy O. is dismissed.

**D039540      David D. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency.**

The attorney for petitioner Virginia P. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

**D039394      Hedrick v. Unified Court of the County of San Diego et al.**

The petition is denied without prejudice to prompt refiling in the superior court (see *Friends of Mammoth v. Board of Supervisors* (1972) 8 Cal.3d 247, 268-269), where it is anticipated that the matter will be heard by a judge assigned from another county under article VI, section 6 of the California Constitution

**D039565      In re Brown on Habeas Corpus**

The petition is denied.

**D039594      In re Hendrix on Habeas Corpus**

The petition is denied.